

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

RICHARD E. SUTTON,

Plaintiff,

v.

CREE, INC.,

Defendant.

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1:03CV00897

JUDGMENT

OSTEEN, District Judge

For the reasons stated in the memorandum opinion filed this
same day,

IT IS ORDERED that Plaintiff's Motion for Leave to File Out
of Time [27] is GRANTED.

IT IS FURTHER ORDERED AND ADJUDGED that Defendant's Motion
for Summary Judgment [16] is GRANTED.

This the 22nd day of June 2005.


United States District Judge